



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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JAN 29 2010

Ref: 8EPR-N

Mr. Terry J. Rosapep
Regional Administrator
Federal Transit Administration, Region 8
12300 West Dakota Avenue, Suite 310
Lakewood, CO 80228-2583

Mr. John M. English
General Manager/Chief Executive Officer
Utah Transit Authority
669 West 200 South
Salt Lake City, UT 84101

Re: Draper Transit Corridor Project DEIS
Salt Lake County, UT
CEQ # 20090434

Dear Mr. Rosapep and Mr. English,

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the Draft Environmental Impact Statement (DEIS) for the Draper Transit Corridor Project, prepared by the Utah Transit Authority (UTA) for the Federal Transit Administration (FTA). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

Based on EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information present, EPA is rating the Preferred Alternative (Alternative C – Minimal Operable Segment [MOS]) as "Environmental Concerns – Insufficient Information (EC-2)." Our environmental concerns are for air quality, greenhouse gas (GHG) emissions, and noise impacts, and we have made several recommendations for adding information to the document. A copy of EPA's rating criteria is attached.

PROJECT DESCRIPTION

The UTA proposes extending light rail from the existing Sandy Civic Center 10000 South Station of the UTA's TRAX North-South Light-Rail Transit line 8.2 miles south to Point of the

Mountain at about 14600 South to provide an efficient, safe, economical, and balanced transportation system that would complement the community's development patterns. Because the capital cost of the full build extension exceeds the UTA FrontLines 2015 funding resources, a phased approach was considered as well as the full build alternative. The logical terminus for the first phase was determined to be Draper Town Center near 12400 South. The two build alternatives follow an alignment within the existing UTA right-of-way, portions of which are shared with the Utah Railway Company. The project would include three new stations with the Preferred Alternative (Alternative C – MOS) and five new stations with the other build alternative (Alternative C – Full Build). The No-Action and Transportation System Management alternatives were also analyzed.

EPA CONCERNS

EPA was a participating agency for this project and provided scoping comments on December 20, 2007. The DEIS addressed most of these comments. However, there is no discussion of mobile source air toxics (MSATs) associated with this project. Although this project involves electric commuter rail trains, MSATs will be associated with emissions from both on-road and non-road vehicles and engines during the construction phase of the project. A discussion should be included on MSATs and their environmental impacts. EPA notes that air toxics are defined as pollutants in the air that are known or suspected to cause cancer or other serious health effects, such as respiratory, neurological, reproductive, and developmental effects. MSATs are usually the largest source of air toxics of concern in urban areas. Emissions from mobile sources and construction equipment typically occur near the ground and are not particularly buoyant. Therefore, the largest impacts of these emissions tend to occur at receptors close to the source of emissions. While regional emissions of MSATs will decrease overall by 55-65% due to federal vehicle and fuel regulations, EPA remains concerned that exposure to residents near the light rail construction project will increase localized MSAT exposure.

In addition, EPA does not believe that the section on construction-related impacts adequately addresses potential impacts and mitigation from this project activity. EPA recommends: (1) adding text in the FEIS that would state that construction equipment would result in emissions of fugitive dust (PM₁₀), CO, NOX, VOCs, PM_{2.5}, and MSATs, and (2) being more specific about mitigations measures such as the following:

- a PM₁₀ monitoring plan to allow for real-time modification or implementation of various dust control measures
- a construction management plan with site-specific mitigation measures in addition to those listed in the DEIS such as the following:
 - using wind barriers and screens
 - having a wheel wash station and/or crush stone apron at entrance areas to prevent dirt from being tracked onto public streets
 - using vacuum-powered street sweepers to remove dirt tracked onto streets
 - covering all dump trucks exiting construction sites
 - covering or wetting temporary excavated materials
 - using a binding agent for long-term excavated materials
 - locating diesel engines and motors and staging areas as far from residences

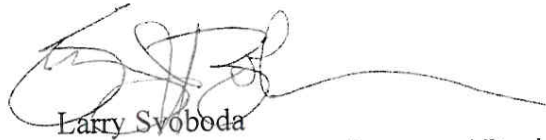
- as possible
- installing engine preheater devices to eliminate unnecessary idling during the winter
- using the smallest practical engine size for construction vehicles and equipment

Also, the discussion on climate change did not include any calculations regarding greenhouse gas (GHG) emissions. EPA would like to see more information regarding disclosure of both direct and indirect emissions and mitigation. For example, EPA believes that since the light rail vehicles associated with this project will use electric power, the power source impacts should be included in the impact assessment. We suggest calculating estimated GHGs associated with the electric power used by the light rail vehicles. Based on MWh or GWh electricity usage, CO₂, Methane, and NOX emissions estimates could be prepared. This is an issue EPA believes is important and recommends that this information be included in the greenhouse gases and climate change section of the Environmental Consequences chapter of the FEIS. We also suggest including additional information directly linking this project to one of the main strategies to reduce GHG emissions – providing choices for travel so that options other than single-occupant vehicles (SOV) exist, and, if true, that the increase in indirect emissions would be offset by a reduction of direct GHG emissions due to decreased SOV travel resulting from transit ridership. Additional comments on air quality and GHGs are provided in the attached detailed comments.

EPA is also concerned about noise impacts that will be severe for six residences under the Preferred Alternative (Alternative C-MOS) and ten residences under Alternative C-Full Build. While there is detailed text regarding mitigation measures for the residences that would have moderate to severe noise impacts, there is no explanation on what UTA is going to do about the six to ten residences that would still have severe noise impacts that cannot be mitigated. EPA recommends addressing this issue in the FEIS.

Thank you for the opportunity to provide comments on the Draper Transit Corridor Project DEIS. The document was very reader-friendly with pull-out information (e.g., definitions and short summaries of findings) that was used very effectively. If you have any questions or would like to discuss our comments or rating, please contact me at 303-312-6004 or the lead reviewer of this project, Carol Anderson, at 303-312-6058.

Sincerely,



Larry Svoboda
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosures: EPA's Rating System Criteria
Detailed Comments

cc: Kristen Kenyon, Federal Transit Administration, Region 8
Aaron Mentzer, Utah Transit Authority

**Detailed Comments by the Region 8 Environmental Protection Agency for the
Draft Environmental Impact Statement (DEIS)
Draper Transit Corridor Project
Salt Lake County, UT**

Air Quality

Pg. 5-60, Section 5.6.2 No-Action Alternative: The second paragraph under this section states that in 2030 all regionally significant projects, including the Alternative C – Full Build, were included in conformity analysis for the Regional Transportation Plan (RTP). EPA notes that the last paragraph in this section states that no project-level air quality analyses were conducted for the No-Action Alternative. Section 5.6.2.1 then states that tables 5.6-2 and 5.6-3, for the regional conformity determination, show that the No-Action Alternative would conform to the PM₁₀ budgets. This does not seem correct as the DEIS stated that the conformity determination did include the Alternative C- Full Build project. However, it appears that the necessary information for both the estimated VMT and emissions changes associated with the No-Action Alternative are presented in section 5.6.5.1 and table 5.6-5. We suggest for clarity that section 5.6.2 be revised and refer the reader to section 5.6.5.1 for further information regarding the No-Action Alternative impacts.

Pg. 5-63, Section 5.6.2.3 Ozone: Salt Lake County was only designated as attainment for the 1997 8-hour (80 ppb) ozone NAAQS. However, EPA promulgated a new 8-hour ozone NAAQS (75 ppb) on March 27, 2008 (see the Federal Register at 73 FR 16436). Designations for this new 8-hour (75 ppb) ozone NAAQS have been delayed by one year to March, 2011 while EPA reconsiders this ozone NAAQS. This section should be updated to reflect the current (75 ppb) NAAQS. More information regarding these issues may be found in the Federal Register (see 75 FR 2938, January 19, 2010).

Pg. 5-67, Section 5.6.5.2 Project-Level Analysis of CO (CO Hot-Spot Analysis): This section considers daily traffic volumes and compares those with projected traffic volumes for the build alternatives in Table 5.6-6. The DEIS states that no CO hot spot analyses were performed as the daily traffic volumes did not exceed the “screening threshold” from the referenced UDOT hot spot intersection look-up tables. For full public disclosure and clarity, EPA recommends that Table 5.6-6 be expanded to include the current and future projected level of service (LOS) for these intersections and if any are LOS of D, E, or F, whether or not the build alternatives will alleviate or further impair these intersections.

Pg. 5-68, Section 5.6.5.3 Construction-Related Impacts: To improve this section, you may wish to review the FEIS for the Denver FasTracks East Corridor project – a very similar project involving the construction and operation of a light rail transit project (see http://eastcorridor.com/FEIS/EastCorridorFEIS_Vol1_Ch03_Sect38_AirQualityAndEnergy.pdf).

Pg. 5-69, Table 5.6-7: This table should be expanded to include State-certified ambient air quality data from the years 2007 and 2008 as these data are currently available.

Pg. 5-69, Section 5.6.5.4 Ozone: For the purposes of public information, this section should also contain a table with a summary of monitored 8-hour ozone (75 ppb, 2008 NAAQS) State-

certified data. For comparison, the same years (including 2007 and 2008) should be used as presented in table 5.6-7.

Greenhouse Gases and Climate Change

Pg. 5-70 Section 5.6.5.5 Greenhouse Gases and Climate Change: EPA suggests using the links below to calculate GHG emissions:

<http://www.epa.gov/cleanenergy/energy-resources/calculator.html>

http://www.epa.gov/cleanenergy/documents/egridzip/eGRID2007V1_1_year05_GHGOutputRates.pdf

Again, you may wish to review the Denver FasTracks East Corridor FEIS section on this topic.

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.